

Remarks

This amendment is submitted to be fully responsive to the Official Action mailed August 1, 2007 and is being filed concurrently with a Request for Continued Examination. It is further submitted that this amendment is timely filed within the three-month shortened-statutory period as extended by the two-month extension of time filed herewith. Should any additional fees be required, the Commissioner is authorized to charge Kagan Binder Deposit Account No. 50-1775 and thereafter notify us of the same. Reconsideration of all outstanding grounds of the rejection and allowance of the subject application are believed in order and respectfully requested.

Please cancel claims 25-27, amend claims 1, 22, 28, 32, and 39, and enter new claim 47.

The Examiner interview of 30 October 2007 between Applicant's attorney Kevin J. Hubbard and Examiner Jes F. Pascua is noted with appreciation. The pending claims were discussed with respect to Rawlings et al. (6,612,484) and Pine et al. (3,411,699). In particular, amending the independent claims to recite that the closure flap overhangs the enclosure along a fold line was proposed. The Examiner indicated that such amendment may overcome the Rawlings et al. and Pine et al. anticipation rejections. No agreement was reached.

With respect to claims 1 and 22 and the Pine et al. anticipation rejection, no closure flap as recited in claims 1 and 22 is disclosed in the Pine et al. reference. The Examiner asserts that Figs. 12-14 of Pine et al. clearly show the flap 82 overhanging the enclosure and that flap 82 is foldable by freely lifting flap 82 upon removal of portion 81 along lines 78 and 80. In response, the claims 1 and 22 are amended to emphasize distinct aspects of the present invention. Claims 1 and 22 are amended to recite a closure flap foldably overhanging the enclosure along a fold line. Flap 82 of the Pine et al. reference does not include a fold line. Flap 82 is formed by a sandwich structure and is attached by glue line 16' not a fold line as claimed. See Fig. 11 and column 6, lines 15-18. Claims 1 and 22, as amended, are thus distinct from the Pine et al. reference and withdrawal of the anticipation rejection of claims 1 and 22 is respectfully requested.

Additionally, the Examiner reads panel 12' of Pine et al. as part of the claimed closure flap and removable panel. Claims 1 and 22 are thus amended to recite that the closure flap is distinct from the removable panel. If panel 12' of Pine et al. is read as the claimed removable panel and flap 82 is read as the closure flap, Pine et al. cannot anticipate the claims 1 and 22 because Pine et al. does not have a closure flap having a portion for securing the closure a first time and one or more additional portions, separable from the first portion, for securing the closure flap again. Withdrawal of the anticipation rejection of claims 1 and 22 is therefore respectfully requested.

Regarding claims 1, 22, 32, and 39 and the Rawlings et al. anticipation rejection, claims 1, 22, 32, and 39 are believed distinct from the Rawlings et al. reference as currently amended to recite that the flap foldably overhangs the enclosure along a fold line. The envelope of Rawlings et al. is structurally and functionally completely different from the envelopes recited in claims 1, 22, 32, and 39. The envelope of Rawlings et al. includes inner flap 20 and outer flap 22 adjacent to pocket 30. On a first use outer flap 22 is sealed to band 16b of face sheet 12 to close the envelope. Sealed band 16b and outer flap 22 are together removed to open the envelope the first time (See Fig. 4). The envelope is then resealed by folding inner flap 20 over the pocket 30. In contrast, claims 1, 22, 32, and 39 each recite a flap foldably overhanging the enclosure along a fold line and that includes a first portion for closing the envelope a first time and a second portion for closing the envelope for reuse. The Rawlings et al. reference does not disclose a flap that foldably overhangs the enclosure along a fold line as presently claimed.

The Examiner asserts that Fig. 6 of Rawlings et al. shows a closure flap (comprised of inner flap 20 and outer flap 22 foldably overhanging the enclosure. Applicant respectfully disagrees. Reference numeral 22 identifying outer flap 22 is absent from Fig. 6 because the outer flap 22 has been removed in this configuration of the envelope. Rawlings et al. Fig. 6 shows the envelope in a state of second use where band 16b and outer flap 22, which have been sealed together for the first use, have both been removed. How can the envelope of Figure 6 of Rawlings et al. anticipate claims 1, 22, 32, and 39 when there is no flap (with fold line) having a first portion for a first use and

an additional portion for a second use? There is no flap as claimed shown in Rawlings et al. and the anticipation rejection should be withdrawn.

Moreover, the Examiner reads portions 16 and 16c of the Rawlings et al. envelope as the claimed address region and postage region. Applicant submits that the recited structure is distinct from the Rawlings et al. reference. For example, claim 1, as amended, recites (emphasis mine):

an enclosure having an interior with an access, the enclosure at least partially defined by first and second distinct panels and comprising:
a removable panel adjacent to an edge of the enclosure and extending across a length of the enclosure, the removable panel comprising an address region comprising a first panel overlying a second panel, wherein the first panel of the address region includes a removable region and at least a portion of the second panel of the address region is exposed when the first panel of the address region is removed and a postage region comprising a first panel overlying a second panel, wherein the first panel of the postage region includes a removable region and at least a portion of the second panel of the postage region is exposed when the first panel of the postage region is removed; and
a closure flap, distinct from the removable panel, foldably overhanging the enclosure along a fold line for at least partially sealing the access to the interior, the closure flap comprising a first portion for securing the closure flap a first time and one or more additional portions for securing the closure flap one or more additional times wherein the first portion of the closure flap is separable from the one or more additional portions of the closure flap by a line of weakness.

The only configuration of the Rawlings et al. envelope where portions 16 and 16c overlie anything is the sealed for first use configuration shown in Figs. 4 and 6. Is such configuration however, there is no flap having the structure recited in claim 1, 22, 32, and 39. The Rawlings et al. reference cannot anticipate claim 1, 22, 32, and 39 and withdrawal of the rejection is respectfully requested.

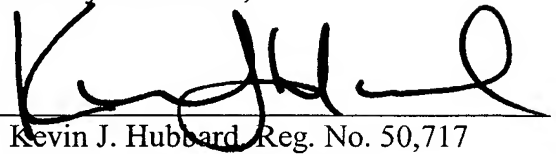
In view of the above remarks, it is respectfully submitted that the claims and the present application are now in condition for allowance, which allowance is earnestly solicited. The Examiner is invited to contact the undersigned, at the Examiner's

convenience, should the Examiner have any questions regarding this communication or the present patent application.

Respectfully Submitted,

Dated: January 2, 2008

By:

A handwritten signature in black ink, appearing to read 'Kevin J. Hubbard', written over a horizontal line.

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